

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ROBERT D. NICKLOW, SR.)	
)	
)	
Plaintiffs,)	C.A. No. 2:12-cv-0664-MRH
)	Hon. Judge Mark R. Hornak
LVNV FUNDING, LLC.)	
)	
Defendant.)	LEAD CASE

ROBERT D. NICKLOW, SR.)	
)	
Plaintiffs,)	C.A. No. 2:12-cv-0665-MRH
)	
EQUIFAX INFORMATION)	MEMBER CASE
SERVICES, LLC.,)	
EXPERIAN INFORMATION)	
SOLUTIONS, INC.)	
And TRANS UNION, LLC.)	
)	
Defendants.)	Electronically Filed

**CONSENT MOTION TO EXCUSE DEFENDANTS EQUIFAX AND EXPERIAN
FROM PARTICIPATION IN ADR**

Plaintiff, ROBERT D. NICKLOW, SR., (“Plaintiff”), by and through his counsel, hereby move this Honorable Court to excuse Defendants Equifax Information Services, LLC. and Experian Information Solutions, Inc. from participation in Alternative Dispute Resolution. In support, Plaintiff states as follows:

1. On July 30, 2012, this Court entered an order referring this case to mediation before Patricia L. Dodge. The ADR Conference is required to be concluded by September 27, 2012.
2. This matter is scheduled for a mediation conference on September 27, 2012 at 10:00 a.m. before Patricia L. Dodge.

3. Plaintiff and Defendants Equifax and Experian have separately reached a resolution of the claims. All that remains to be accomplished is the final execution of the respective settlement agreements and the filing of Notices of Dismissal.

4. Accordingly, because mediation is unnecessary with respect to the claims involving these Defendants, it is requested that they be excused from attending the scheduled mediation.

5. All Defendants in these Consolidated Actions consent to this motion.

Wherefore, it is requested that this Honorable Court enter an order excusing Equifax and Experian from participating in mediation. A proposed order is attached as Exhibit A.

Dated: September 20, 2012

Respectfully submitted,

s/ James M. Pietz

Pa I.D. No. 55406

Pietz Law Office

429 Forbes Ave, Suite 1616

Pittsburgh, Pa. 15219

412-288-4333

jpietz@jpietzlaw.com

Leonard A. Bennett, Pro Hac Vice
Consumer Litigation Associates, P.C.
763 J. Clyde Morris Boulevard, Suite 1-A
Newport News, VA 23601
(757) 930-3660
(757) 930-3662 facsimile

Counsel for Plaintiff